

**MEMORANDUM
CITY OF ST. PETERSBURG**

City Council Meeting of April 15, 2021

TO: The Honorable Ed Montanari, Chair, and Members of City Council

FROM: Chris Ballestra, Director, Enterprise Facilities Department

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in two (2) Public Transit Grant Agreements for the Runway 18/36 Rehab Construction Project (17963), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds including but not limited to the Aviation Program Assurances, which require, among other assurances, that the City keep Albert Whitted Airport available to the public and in good repair; authorizing the Mayor or his designee to accept the Grants in an amount not to exceed \$608,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; rescinding an unencumbered appropriation in the Airport Capital Projects Fund (4033) in the amount of \$150,000 from the PAPIs/REILs for Runway 18/36 Project (17964); approving a supplemental appropriation in the amount of \$850,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds and above rescission, to the Runway 18/36 Rehab Construction Project (17963); providing an effective date; and providing for expiration.

EXPLANATION: Section 1.02 (c) (5) B of the St. Petersburg City Code authorizes City Council, by a single ordinance dealing with only a single encumbrance, receiving a public hearing and receiving an affirmative vote for at least six (6) members of City Council, to permit the recording of encumbrances on Albert Whitted Airport as follows:

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

The funding secured through this ordinance is intended for the Florida Department of

Transportation's ("FDOT") participation in the completion of the Runway 18/36 Rehab Construction Project (17963). The funding secured through these grants is intended for the construction phase of the project. The design phase is in process and was funded with Federal Aviation Administration (FAA) and FDOT grants secured last year.

The general scope of this project includes the rehab/reconstruction of the runway's pavement and adjoining stub connector taxiways; replacement/upgrade of the runway/taxiway electrical system to include LED edge lighting, guidance signage, Precision Approach Path Indicators (PAPIs) and the Runway End Identification Lighting (REILs); any necessary geometric and/or marking changes to bring the runway up to current FAA/FDOT design standards; and any necessary civil changes to address surface drainage. The main funding sources of this project will be FAA funds. The FAA will pay ninety percent (90%) of eligible project costs. As the airport sponsor, the City will be required to provide the ten percent (10%) match. The FDOT has agreed to participate in the project and will provide up to eighty percent (80%) of the City's match requirement (or 8% of the total project costs) which drops the City match requirement to two percent (2%).

The FAA has determined that a portion of the project does not meet federal eligibility requirements. The runway is currently 150ft wide which is well above minimum width requirements based on the size of aircraft the runway is designed for. The FAA will only fund the Runway's width at 60ft. The City desires to keep the Runway's width at least at 75ft. As the FAA will not fund the 15ft width difference, the FDOT has agreed to participate in funding this portion at eighty percent (80%) of the cost. The City will provide the remaining twenty percent (20%) match.

The funding for the project is based on the most recent engineering estimates. The project will go out to bid later this spring and the FAA grant will be applied in the early summer. It is expected that construction will commence in late fall of this year.

	<u>TOTAL</u>	<u>FAA</u>	<u>FDOT</u>	<u>CITY</u>
Federally Eligible	\$3,500,000	\$3,150,000 (90%)	\$280,000 (8%)	\$70,000 (2%)
Non-Federally Eligible	\$400,000	\$0 (0%)	\$320,000 (80%)	\$80,000 (20%)
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TOTAL	\$3,900,000	\$3,150,000 81%	\$600,000 15%	\$150,000 4%

Acceptance of any grants requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.

Each ordinance may only address one encumbrance and requires the affirmative vote of six Council Members for adoption.

A first reading of this ordinance was held on April 8, 2021.

RECOMMENDATION: Administration recommends that City Council adopt the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in two (2) Public Transit Grant Agreements for the Runway 18/36 Rehab Construction Project (17963), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds including but not limited to the Aviation Program Assurances, which require, among other assurances, that the City keep Albert Whitted Airport available to the public and in good repair; authorizing the Mayor or his designee to accept the Grants in an amount not to exceed \$608,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; rescinding an unencumbered appropriation in the Airport Capital Projects Fund (4033) in the amount of \$150,000 from the PAPIs/REILs for Runway 18/36 Project (17964); approving a supplemental appropriation in the amount of \$850,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds and above rescission, to the Runway 18/36 Rehab Construction Project (17963); providing an effective date; and providing for expiration.

Cost/Funding/Assessment Information: Revenues of up to \$608,000 are to be received from the Florida Department of Transportation (FDOT) which will be used to cover up to eight percent (8%) of the total federally eligible costs and eighty percent (80%) of the non-federally eligible costs for the Runway 18/36 Rehab Construction Project (17963). A portion of the funding has been previously appropriated. Additional funding will be available after the rescission of an unencumbered appropriation in the Airport Capital Projects Fund (4033) in the amount of \$150,000 from the PAPIs/REILs for Runway 18/36 Project (17964); a supplemental appropriation in the amount of \$850,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033) resulting from these grant funds and above rescission, to the Runway 18/36 Rehab Construction Project (17963) is approved.

Approvals:

Legal: /s/ Bradley Tennant

Administration:

Alan DeLisle
FOR:
ALAN DELISLE

Budget: /s/ Lance Stanford

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Ordinance No. _____

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in two (2) Public Transit Grant Agreements for the Runway 18/36 Rehab Construction Project (17963), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds including but not limited to the Aviation Program Assurances, which require, among other assurances, that the City keep Albert Whitted Airport available to the public and in good repair; authorizing the Mayor or his designee to accept the Grants in an amount not to exceed \$608,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; rescinding an unencumbered appropriation in the Airport Capital Projects Fund (4033) in the amount of \$150,000 from the PAPIs/REILs for Runway 18/36 Project (17964); approving a supplemental appropriation in the amount of \$850,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds and above rescission, to the Runway 18/36 Rehab Construction Project (17963); providing an effective date; and providing for expiration.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. Albert Whitted Municipal Airport is defined by the City of St. Petersburg, Florida, City Charter Section 1.02(c)(5) B. as: All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida.

Section 2. The Florida Department of Transportation ("FDOT") has offered the City two (2) grants toward the construction phase of the Runway 18/36 Rehab Construction Project (17963).

Section 3. The restrictions contained in assurances, which are set forth in the grant documents to be executed by the City as a requirement for receipt of FDOT grants in an amount not to exceed \$608,000 for projects described in Section Two of this ordinance, require, among other assurances, that the City make Albert Whitted Municipal Airport ("Airport") available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, and that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in the Airport for

non-airport compatible purposes, nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes for a period not to exceed 20 years from the date of acceptance of the grant are authorized.

Section 4. The Mayor or his designee is authorized to accept the grants from the FDOT for additional funding in an amount not to exceed \$608,000.

Section 5. The Mayor or his designee is authorized to execute all documents necessary to effectuate this ordinance.

Section 6. The appropriation in the amount of \$150,000 from the Airport Capital Improvement Fund (4033), PAPIs/REILs for Runway 18/36 Project (17964) is hereby rescinded.

Section 7. There is hereby approved from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033), resulting from these additional revenues, the following supplemental appropriation for the Fiscal Year 2021:

Airport Capital Projects Fund (4033)

Runway 18/36 Rehab Construction Project (17963) \$850,000

Section 8. Severability. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional, it shall not affect the constitutionality of any other portion of this ordinance.

Section 9. Effective date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Section 10. Expiration. In the event the FDOT fails to award the grants as set forth in Section Two, above, within one year of the effective date of this ordinance, this ordinance shall expire.

Approvals:

Legal: /s/ Bradley Tennant

Administration:  FOR:
ALAN DELISLE

Budget: E Makofske

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